

MESSAGE NO: 2312304

MESSAGE DATE: 11/07/2012

MESSAGE STATUS: Active

CATEGORY: Countervailing

TYPE: LIQ-Liquidation PUBLIC ☒

NON-PUBLIC ☐

SUB-TYPE: OUTSCO-Out of Scope

FR CITE:

FR CITE DATE:

REFERENCE
MESSAGE #
(s):

CASE #(s): C-570-955

EFFECTIVE DATE: 08/02/2010

COURT CASE #:

PERIOD OF REVIEW:

TO

PERIOD COVERED:

TO

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: Countervailing Duty Scope Determination on Certain Magnesia Carbon Bricks from the People's Republic of China (C-570-955)

Notice of the lifting of suspension occurred on the message date of these instructions. See paragraph 5 below.

1. Commerce received a scope ruling request from Duferco Steel Inc. Commerce issued a final scope determination on 10/31/2012 that the tap hole sleeve systems which Duferco Steel Inc. imports are not within the scope of the countervailing duty order on certain magnesia carbon bricks from the People's Republic of China (C-570-955).
2. Commerce determined that Duferco Steel Inc.'s tap hole sleeve systems are outside the scope of the order because they do not meet the physical description of merchandise subject to the scope of the order. Therefore, Duferco Steel Inc.'s tap hole sleeve systems, whether assembled or disassembled, and sold or entered as a complete set, are not within the scope of the countervailing duty order on certain magnesia carbon bricks from the People's Republic of China. A tap hole sleeve system is composed of the following parts: (A) the tap hole sleeve unit, which may be one piece or segmented, (B) tap hole surround blocks, and (C) tap hole end blocks. Commerce notes that any component parts of the tap hole sleeve system, such as end blocks or surround blocks, which meet the physical definition of the scope, if shipped separately, will be covered by the scope of the order.
3. For all entries of tap hole sleeve systems not within scope that remain unliquidated on or after 08/02/2010, CBP shall terminate suspension and liquidate entries of tap hole sleeve systems which were entered, or withdrawn from warehouse, for consumption.
4. Refund any cash deposits and release any bonds relating to the tap hole sleeve systems described above.
5. These instructions constitute notice of the lifting of suspension of liquidation of entries of tap hole sleeve systems described above that were entered, or withdrawn from warehouse, for consumption on or after 08/02/2010.

6. The assessment of countervailing duties by CBP on shipments or entries of this merchandise is subject to the provisions of section 778 of the Tariff Act of 1930, as amended. Section 778 requires that CBP pay interest on overpayments or assess interest on underpayments of the required amounts deposited as estimated countervailing duties. The interest provisions are not applicable to cash or bonds posted as estimated countervailing duties before the date of publication of the countervailing duty order. Interest shall be calculated from the date payment of estimated countervailing duties is required through the date of liquidation. The rate at which such interest is payable is the rate in effect under section 6621 of the Internal Revenue Code of 1954 for such period.

7. Unless instructed otherwise, for all other shipments of certain magnesia carbon bricks from the People's Republic of China not covered by paragraph 2 above, you shall continue to collect cash deposits of estimated countervailing duties for the merchandise at the current rates.

8. If there are any questions by the importing public regarding this message, please contact the Call Center for the Office of AD/CVD Operations, Import Administration, International Trade Administration, U.S. Department of Commerce at (202) 482-0984. CBP ports should submit their inquiries through authorized CBP channels only. (This message was generated by O6: TP).

9. There are no restrictions on the release of this information.

Michael B. Walsh

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party